IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
MISSOULA DIVISION

UNITED STATES OF AMERICA,	CR 16–47–M–DLC
Plaintiff,	
	ORDER
vs.	
JONATHAN ALLEN FARRAN,	
Defendant.	

United States Magistrate Judge Jeremiah C. Lynch entered Findings and Recommendation in this matter on February 15, 2017. Neither party objected and therefore they are not entitled to *de novo* review of the record. 28 U.S.C. § 636(b)(1); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003). This Court will review the Findings and Recommendation for clear error. *McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc.*, 656 F.2d 1309, 1313 (9th Cir. 1981). Clear error exists if the Court is left with a "definite and firm conviction that a mistake has been committed." *United States v. Syrax*, 235 F.3d 422, 427 (9th Cir. 2000).
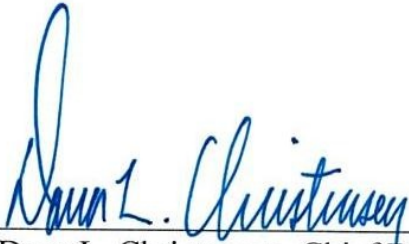
Judge Lynch recommended this Court accept Jonathan Allen Farran's guilty plea after Farran appeared before him pursuant to Federal Rule of Criminal Procedure 11, and entered a plea of guilty to one count of the possession with the

intent to distribute methamphetamine in violation of 21 U.S.C. § 841(a)(1), as set forth in Count II of the Indictment. Defendant further admits the forfeiture allegation in the Indictment, and he agrees to the forfeiture of the specific items listed in the parties' Plea Agreement. In exchange for Defendant's plea, the United States has agreed to dismiss Counts I, III, and IV of the Indictment.

I find no clear error in Judge Lynch's Findings and Recommendation (Doc. 21), and I adopt them in full, including the recommendation to defer acceptance of the Plea Agreement until sentencing when the Court will have reviewed the Plea Agreement and Presentence Investigation Report.

Accordingly, IT IS ORDERED that Jonathan Allen Farran's motion to change plea (Doc. 12) is GRANTED and Jonathan Allen Farran is adjudged guilty as charged in Count II of the Indictment.

DATED this 2nd day of March, 2017.

Dana L. Christensen, Chief District Judge
United States District Court